

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 13. This sheet, which includes Fig. 13, replaces the original sheet including Fig. 13.

Attachment: Replacement Sheet

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-26 are pending, Claims 1-21 having previously been withdrawn from consideration and Claim 22 having been amended by way of the present amendment.

In the outstanding Office Action, Figures 13 and 14 were objected to; the specification was objected to; Claim 22 was rejected as being anticipated by Okazaki (JP 63-26810); Claims 23 and 24 were rejected as being unpatentable over Okazaki in view of Honda (JP 01-204228); and Claims 25-26 were rejected as being unpatentable over Okazaki in view of Honda and the admitted prior art.

In reply, a substitute Figure 13 has been filed in a separate letter, changing the label “T62” to --T61--. Likewise, the specification has been amended to have the appropriate elements in the figures, correspond with the different element numbers, as noted in the outstanding Office Action. Likewise the objection to the specification at paragraph 3 of the Office Action has been addressed by way of the amendment to the specification. No new matter is added.

Claim 22 has been amended as a matter of form, and not substance, to avoid a claim construction under 35 U.S.C. § 112, sixth paragraph. Furthermore, in order to clarify the structure, distinction between “first laser beam” and “second laser beam” has been made to clarify the claim language. Otherwise, it is believed that the substance of Claim 22 is consistent with that of the originally filed claim.

Amended Claim 22 is directed to an adjusting device for an optical pickup. The device includes a rotating and driving mechanism configured to rotate and drive an optical disk. The mechanism adjusts an optical pickup and includes a first signal recording part that is irradiated with the first laser beam from one surface side, and a second signal recording

part that is irradiated with a second laser beam from another surface side. As a consequence, a scanning direction by the second laser beam is opposite to that of the first recording part. The device also includes an adjusting mechanism that is configured to respectively apply the first laser beam and the second laser beam to the signal recording part on the opposed side of the first and second recording parts of the optical disk. The mechanism also detects reflected light from the opposed signal recording parts to adjust at least one of the first and second optical pickups.

The outstanding Office Action asserts that Okazaki discloses all of the elements of Claim 22. Applicants respectfully traverse the rejection. The Office Action refers to Figures 6-8, the Abstract and pages 3-4 in Okataki as disclosing the claimed adjusting mechanism. It is first noted that Okazaki only includes three figures, and therefore the citation in the Office Action appears to be incorrect. Likewise, pages 3 and 4 of the translation do not appear to disclose anything that could be construed as the ----- adjusting mechanism. It is therefore respectfully submitted that Claim 22 patentably defines over Okazaki.

Claims 23 and 24 are also believed to be patentable over Okazaki in view of Honda. As discussed above Okazaki does not disclose the claimed “adjusting mechanism” which is contrary to what is asserted in paragraph 7 of the outstanding Office Action. Honda does not cure the deficiency with regard to Okazaki as Honda also does not disclose the claimed adjusting mechanism. Consequently, it is respectfully submitted that no matter how Okasaki and Honda are combined the combination does not teach or suggest all of the elements of Claims 23-24.

Similarly, it is respectfully submitted that the admitted prior art regarding the objective lens, does not cure the deficiency discussed above with regard to Okasaki and Honda, as these references relate to Claim 22. Therefore, no matter how Okasaki, Honda and the admitted prior art are combined it is respectfully submitted that any combination of these

references fails to teach or suggest all of the elements of the invention defined by dependent Claims 25 and 26.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 22-26, as amended, is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

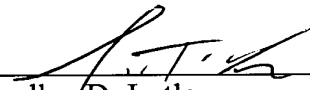
Respectfully submitted,

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